

REMARKS

The Examiner has rejected Claims 1, 3-5, 7-8, 10-13, 15-17, 19-22, and 24-30 under 35 U.S.C. 103(a) as being unpatentable over Sonderegger et al. (U.S. Patent No.: 5,859,978) in view of Olds (U.S. Patent No.: 5,878,415), and further in view of Lawing (U.S. Patent Application Publication No.: 2002/0112150). Applicant respectfully disagrees with such rejection, especially in view of the amendments made hereinabove. Specifically, applicant has amended each of the independent claims to include the subject matter of Claims 26 and 30.

In the Examiner's latest action, it appears that the Examiner has dismissed applicant's previous arguments with respect to applicant's claimed "management console." Specifically, the Examiner maintains that Fig. 2, item 10 of Sonderegger and Fig. 3, item 10 of Olds meet applicant's claimed: "management console [that] is in communication with the network directory and the directory server for providing a user interface, the management console being adapted to selectively display the hierarchical tree structure and the control settings stored in the network directory." See all independent claims. Fig. 2 of Sonderegger and Fig. 3 of Olds are shown below.

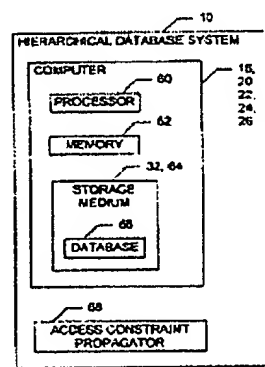


FIG. 3

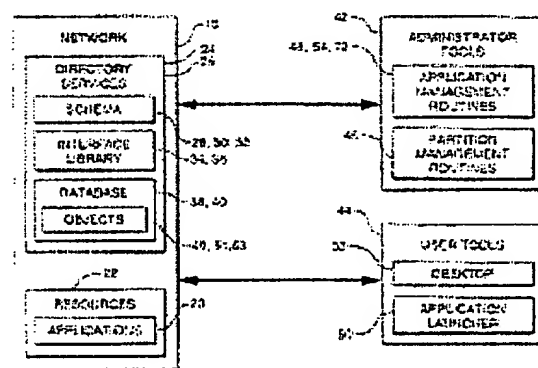


FIG. 2

Per the description of Fig. 2 in Sonderegger, such figure merely is a diagram illustrating components of the computer network of Fig. 1 together with administrator tools and user tools

employed in conjunction with the computer network. Further, item 10 of Fig. 2 in Sonderegger refers to a “network.”

Per the description of Fig. 3 in Olds, such figure merely is a diagram illustrating a hierarchical database system. Moreover, item 10 of Fig. 3 in Olds refers to a “system.”

Thus, such disclosure merely shows the framework or architecture of the prior art systems. There is simply no disclosure, teaching or suggestion of any sort of “management console [that] is in communication with the network directory and the directory server for providing a user interface, the management console being adapted to selectively display the hierarchical tree structure and the control settings stored in the network directory” (emphasis added). Only applicant teaches and claims a user interface, whereby the hierarchical tree structure itself is displayed along with the display of control settings stored in the network directory.

Nevertheless, in the spirit of expediting the prosecution of the present application, applicant has amended each of the independent claims to require “wherein broad control settings are set higher in the hierarchical tree structure while lower level control settings are set at a level of one of the devices” (former subject matter of Claim 26, which has been incorporated into each of the independent claims). The Examiner has relied on page 1, paragraphs, [0006]-[0008]; page 2, paragraph [0022]; page 3, paragraphs [0027]-[0032]; and page 4, paragraph [0033] of Lawing to make a prior art showing of such feature.

After a careful review of such excerpts and the remaining Lawing reference, applicant emphasizes that Lawing only suggests “settings,” and fails to suggest any sort of “broad control settings [that] are set higher in the hierarchical tree structure while lower level control settings are set at a level of one of the devices” (emphasis added). A notice of allowance or a specific prior art showing of each of such claim limitations, in combination with the remaining claim elements, is respectfully requested.

Further in the spirit of expediting the prosecution of the present application, applicant has additionally amended each of the independent claims to require “a get policy component that obtains relevant policies, a first cache for caching an output of the get policy component, and a calculate policy component that calculates an inheritance with the output received from the first cache and transmits the inheritance to a second cache, wherein the information in the first cache is updated based on a time stamping” (former subject matter of Claim 30, which has been incorporated into each of the independent claims).

Interestingly, the Examiner relies on the exact same Lawing excerpts noted above to make a prior art showing of such claimed details. It is noted, however, that simply nowhere in Lawing is it disclosed, taught or even suggested that the system, method, etc. include “a get policy component that obtains relevant policies, a first cache for caching an output of the get policy component, and a calculate policy component that calculates an inheritance with the output received from the first cache and transmits the inheritance to a second cache, wherein the information in the first cache is updated based on a time stamping” (emphasis added). Only applicant teaches and claims such a novel cache framework that incorporates time stamping, etc., as claimed, for providing improved network management. A notice of allowance or a specific prior art showing of each of such claim limitations, in combination with the remaining claim elements, is respectfully requested.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir.1991).

In view of each of the three paramount distinctions outlined above, applicant respectfully asserts that at least the third element of the *prima facie* case of obviousness has not been met, since the prior art references, when combined, fail to teach or suggest all the claim limitations.

It is further noted that the Examiner's application of the prior art to the remaining dependent claims is further replete with deficiencies. For example, the Examiner, yet again, relies on the exact same Lawing excerpts noted above to make a prior art showing of the following claim limitations:

"wherein the broad control settings require the scanning of all executable files for viruses, cleaning of the files if possible, quarantining of the files if the files can not be cleaned upon detecting a virus, and sending infection reports to a network administrator" (see Claim 27);

"wherein a mid-level control setting is set to report all infections to a local administrator" (see Claim 28); and

"wherein the lower level settings require the deletion of infected files of said one of the devices" (see Claim 29).

However, since Lawing clearly fails to suggest any sort of hierarchy of control settings, such reference fails to disclose, teach or even suggest the specific "broad," "mid-level," and "lower" settings, as claimed, whereby such specifically claimed control settings are configured such that "broad control settings are set higher in the hierarchical tree structure while lower level control settings are set at a level of one of the devices."

A notice of allowance or a specific prior art showing of each of such claim limitations, in combination with the remaining claim elements, is respectfully requested.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. The Commissioner is authorized to charge

any additional fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. NAI1P280).

Respectfully submitted,

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Docket: NAI1P280_99.121.01

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